

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CT-3019-D

LYNWOOD D. JENNETTE,

Plaintiff,

v.

NORTH CAROLINA DIVISION OF
ADULT CORRECTION OF THE
DEPARTMENT OF PUBLIC
SAFETY, et al.,

Defendants.

ORDER

On November 16, 2017, Magistrate Judge Jones issued a Memorandum and Recommendation (“M&R”) [D.E. 93] and recommended that the court dismiss this action with prejudice as a sanction for plaintiff’s failure to prosecute the case and to comply with court orders. No party objected to the M&R, and the time to do so has expired. Defendants move to compel discovery [D.E. 82, 91] and to stay the deadlines in the scheduling order [D.E. 96].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted). The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 93].

In sum, the court adopts the conclusions in the M&R [D.E. 93], and DISMISSES plaintiff's complaint with prejudice. The court DENIES the pending motions [D.E. 82, 91, 96] as moot. The clerk shall close the case.

SO ORDERED. This 12 day of January 2018.



JAMES C. DEVER III
Chief United States District Judge